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TN REGULATORY AUTHORITY

November 17, 2005

Chairman Ron Jones Director Sara Kyle Director Pat Miller Director Deborah Taylor Tate Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243-0505

Re:

Docket No. 04-00211

Rulemaking to Amend Chapter 1220-4-2-.43 through .54

Known as Pay Telephone Rules

Dear Chairman Jones and Directors:

The Tennessee Sheriff's Association would like to express our concern about potential actions of the Tennessee Regulatory Authority ("TRA") which could restrict competition among ITS providers and limit the availability of jail inmate telephone services. This matter is of serious concern to all Tennessee sheriffs.

Through this correspondence, we respectfully ask the TRA to consider two very important concerns prior to taking further action on jail inmate telephone service rates. First, we urge the TRA to consider that the majority of Tennessee jails are small and house less than one hundred inmates. The equipment used to provide inmate telephone service in these jails is expensive, particularly when the cost is spread over a relatively small number of calls coming from small inmate populations. We urge the TRA to make certain that our ability to utilize this critical service in all jails, regardless of size, is protected.

A second point we trust that the TRA will consider, concerns the costs to sheriffs' offices resulting from the jail inmate telephone service. These direct staffing costs occur since our jail officers must be trained to operate this system on a daily basis. These officers are often called upon to perform many different responsibilities related to the inmate telephone system. The sheriffs urge the TRA to recognize that these functions are performed by jail officers at additional expense to our offices. The Facility System Administrative Fee (commission) paid by inmate telephone service providers is of great benefit and helps to recover a portion of these staffing cost.

In recognition of these concerns the Tennessee Sheriff's Association has adopted the attached Resolution and we ask that our concerns be considered when the TRA addresses this issue.

Thank you in advance for your time and consideration of our concerns.

Sincerely,

Sheriff Joe Shepard Gibson County

President, Tennessee Sheriffs' Association



TENNESSEE SHERIFFS' ASSOCIATION RESOLUTION

TENNESSEE SHERIFFS' ASSOCIATION SUPPORTS TENNESSEE REGULATORY AUTHORITY ("TRA") TO PRESERVE THE AVAILABILITY OF INMATE TELEPHONE TECHNOLOGY

WHEREAS, Tennessee Sheriffs' Association Executive Committee recommends the Tennessee Sheriffs' Association support TRA action to make sure rates charged for inmate phone service are fair and reasonable for the citizens who pay for the calls while ensuring that inmate phone service providers are fairly compensated for all calls.

WHEREAS, sheriffs are responsible for managing and securing jail facilities nationwide; and

WHEREAS, inmate telephone service at the facilities is important for the welfare of inmates and is a positive rehabilitation tool; and

WHEREAS, sheriffs have a fundamental responsibility to encourage and support inmate activities which foster maintenance of family and community ties; and

WHEREAS, inmate telephone service can only be provided if service is adequately controlled to prevent criminal telephone activity which harms the public; and

WHEREAS, facilities must contract with inmate phone service providers in order to ensure that inmate calling is adequately controlled and secure; and

WHEREAS, facilities cannot afford to provide this specialized telephone equipment without the financial assistance of the inmate phone service providers; and

WHEREAS, inmate local collect calls represent 75% - 90% of the calls that come from county jails; and

THEREFORE, BE IT RESOLVED the Tennessee Sheriffs' Association respectfully requests that when setting rates for inmate local collect calls from county jails, the TRA must:

- recognize that the inmate call revenue counties receive is necessary to help offset the staff costs incurred to administer the inmate phone system while protecting the public, and
- ensure that ITS providers are fully compensated for all their costs of providing inmate telephone service with the latest technology.